

REMARKS

Reconsideration of this application is respectfully requested. Claims 98-100 have been added. Support for claims 98-100 is found at, for example, page 13, line 16, to page 14, line 3, of the specification. No new matter has been added. Claims 1-100 are pending. Because claims 1-41, 46-60, 62-73, and 75-84 have been withdrawn from consideration, only claims 42-45, 61, 74, and 85-100 are at issue.

Claims 42-45 and 85-97 have been provisionally rejected over claims 1-4 of U.S. Patent No. 6,686,464 under the judicially created doctrine of obviousness-type double patenting. A terminal disclaimer was filed over U.S. Patent No. 6,686,464 with the August 16, 2004 Amendment. The Examiner has indicated that this terminal disclaimer has been entered. *See* page 2, lines 7-8, of the December 3, 2004 Office Action (“The terminal disclaimer dated 8/16/2004 has been entered”). Accordingly, this rejection should be withdrawn.

Claims 61 and 74 have been rejected under 35 U.S.C. §102(b) as anticipated by Morse (U.S. Patent No. 4,269,859). The Examiner contends that the cellulose floc granules described in Examples 11-13 of Morse anticipate claims 61 and 74. The Examiner further contends that while applicants argue that the claimed cellulose floc has a greater dry floc density than that prepared from unmercerized pulp as in Morse, claims 61 and 74 do not include a dry floc density limitation.

Applicants respectfully traverse this rejection and request reconsideration.

The granules in Morse are not prepared from mercerized and recovered cellulose pulp. As discussed in the August 16, 2004 Amendment, cellulose floc prepared from mercerized and recovered cellulose pulp exhibits a significantly greater dry floc density than that prepared from unmercerized pulp. The increase in dry floc density is an inherent property of any product made

by the process recited in claims 61 and 74. Examples 1-4 (tables 1a, 2, 4, and 5) and Figure 1 (Example 6) show that cellulose flocs prepared by the presently claimed process have significantly higher dry floc densities than those prepared by prior art processes, such as that in Morse. For example, the dry floc density of the cellulose flocs prepared from mercerized and recovered cellulose pulp in Example 1 ranged from 0.147 to 0.152, whereas that for similar cellulose floc prepared from unmercerized cellulose pulp was 0.108 (about a third less).

Because the mercerized and recovered cellulose flocs of claims 61 and 74 inherently have significantly greater dry floc densities than those prepared from unmercerized pulp (as in Morse) the cellulose flocs of claims 61 and 74 are different from and novel over the cellulose products of Morse.

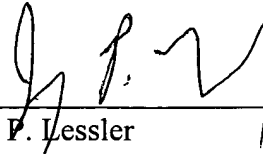
New claims 98-100 are directed to cellulose flocs having an average floc length of from 0.25 to 0.50 mm and a particular floc tap density. In contrast, the fibers in the cellulose floc granules of Examples 11-13 of Morse have an average length of 45 microns (i.e., 0.045 mm) or less. See, col. 6, lines 55-68, col. 7, lines 21-29 and 51-53.

Applicants respectfully request withdrawal of this rejection.

In view of the above remarks, it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Respectfully submitted

A handwritten signature in black ink, appearing to read 'J. P. Lessler', written over a horizontal line.

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